

March 14, 2025

**VIA ECF**

Hon. Jesse M. Furman  
United States District Court  
40 Centre Street, Room 2202  
New York, NY 10007

**Re: *ChemImage Corp. v. Johnson & Johnson et al.*, No. 1:24-CV-2646 (JMF)**  
**Joint Letter to the Court Regarding Witness Lineup**

Dear Judge Furman:

Pursuant to the Court's instruction at the March 13, 2025 Pre-Trial Conference, Plaintiff ChemImage Corporation and Defendants Johnson & Johnson and Ethicon, Inc. (the "Parties") jointly submit this letter to identify for the Court the order of witnesses that the parties currently intend to present at trial:

**Plaintiff's Witnesses:**

1. Dr. Patrick Treado
2. Dr. Adam Saltman
3. Dr. Daniel Sodickson
4. Dr. Jeffrey Cohen
5. Mr. David Plastino
6. Ms. Tamara Lanier<sup>1</sup>

**Defendants' Witnesses:**

1. Ms. Tamara Lanier
2. Dr. Kevin Lewis
3. Mr. James Donohue
4. Dr. Steen Hansen

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<sup>1</sup> Ms. Lanier submitted an affidavit on behalf of Defendants, and is listed on all parties' witness lists in the Joint Pretrial Order, Dkt. No. 164. Consistent with the Court's Individual Rules and Practices for Hearings and Trials ¶ H.4 and the Court's direction that a witness listed by both sides "will be called only once by essentially the sponsoring party; that is, the party that submitted the affidavit," March 13, 2025 Hrg. Tr. 12:23-13:2, the parties intend to call Ms. Lanier after Plaintiff's witnesses who submitted affidavits have testified and at the beginning of Defendants' case in chief. The parties agree that Defendants will first have the opportunity to conduct a 15-20 minute direct examination of Ms. Lanier and to offer her affidavit and exhibits thereto into evidence, that Plaintiff will have the opportunity to cross Ms. Lanier without scope limitations, and that Defendants will then have the opportunity to conduct a redirect examination of Ms. Lanier.

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5. Mr. Rocco De Bernardis
6. Mr. Joseph Corrigan<sup>2</sup>
7. Dr. Blake Hannaford
8. Dr. Ricardo Estape

Defendants' witness order may change slightly based on the pace of trial to accommodate witness scheduling. In particular, in the event that Mr. Donohue does not take the stand on Wednesday, March 19, he will testify after Dr. Estape at the close of Defendants' case. And in the event that Mr. Donohue completes his testimony before the end of the day on Wednesday, March 19, Dr. Hannaford will take the stand at that point.

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The Parties thank the Court for its time and consideration of these matters.

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<sup>2</sup> Consistent with the Parties' and the Court's comments at the March 13, 2025 Pre-Trial Conference, Plaintiff's case in chief will not close until after its examination of Mr. Corrigan. Further, Plaintiff will not be limited on the scope of its examination by the substance of Defendants' examination nor by the affidavit of Mr. Corrigan.

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Respectfully submitted,

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